

Appl. No. : 09/722,981
Filed : November 27, 2000

REMARKS

Claims 1-20 were pending in the application. By this paper, Claims 1-20 have been cancelled, and claims 21-62 have been added. Therefore, Claims 21-62 are presented for examination herein.

IDS

An IDS is filed herewith. Because this same IDS was recently filed in the CIP-parent case (09/698,882), the paper copies of the references are not submitted herewith, but the Examiner is directed to the parent case (09/698,882) to find the copies of the patents and non-patent articles listed in the IDS.

Claim Rejections under 35 USC 102 and 35 USC 103

Claims 1-20 have been cancelled without prejudice. Applicant reserves the right to amend these claims in subsequent prosecution to include a continuation or divisional application. Applicant comments that the Mashinsky reference (US Patent 6,005,926) teaches a system that uses a form of least cost routing to select a carrier to carry a telephone call from a source to a destination. Many novel aspects of the Applicant's invention are not taught or suggested by the Mashinsky reference or any other art of reference.

New Claims (21-62)

35 USC 112 support for claims 21-62 can be found, among other places, at Figs. 5-6 and the portions of the specification discussing the same. See especially page 26 lines 3-14 and page 28, line 15 to page 37, line 10. Some aspects of the invention that are recited in certain claims are also supported in Figs. 1-4 and the portions of the specification discussing the same.

Applicant respectfully submits that the new claims are directed to novel aspects of the invention that are neither taught nor suggested by the Mashinsky reference or any other prior art of record. Applicant respectfully submits that all the new claims are in condition for allowance and requests the Examiner to issue a notice of allowance on all pending claims.

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Summary

Applicant hereby specifically reserves the right to prosecute claims of different or broader scope in a continuation or divisional application.

Applicant notes that any claim additions or cancellations made herein are made solely for the purposes of more clearly and particularly describing and claiming the invention, and not for purposes of overcoming art or for patentability or narrowing the claims. The Examiner should infer no (i) adoption of a position with respect to patentability, (ii) change in the Applicant's position with respect to any claim or subject matter of the invention, or (iii) acquiescence in any way to any position taken by the Examiner, based on such additions or cancellations.

Furthermore, any remarks made with respect to a particular claim or claims are intended to be limited only to such claim or claims.

If the Examiner has any questions or comments which may be resolved over the telephone, he is requested to call the undersigned at (305) 735-8533.

Respectfully submitted,

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